

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In Re:

TRACIE TONISIA LOVE,  
  
Debtor.

Chapter 7  
Case No. 13-49628-wsd  
Hon. Walter Shapero

MICHIGAN DEPARTMENT OF HUMAN  
SERVICES,

Plaintiff,

v

Adv. Pro. No. 13-4883-wsd  
Hon. Walter Shapero

TRACIE TONISIA LOVE,  
  
Defendant.

**CERTIFICATION OF NON-RESPONSE TO MICHIGAN DEPARTMENT OF  
HUMAN SERVICES' MOTION FOR PARTIAL SUMMARY JUDGMENT**

Travis M. Comstock, Assistant Attorney General, on behalf of Plaintiff

Michigan Department of Human Services, certifies as follows:

1. I make this certification on personal knowledge, and if called as a witness can testify to the facts herein.

2. On January 31, 2014, I caused a Motion for Partial Summary Judgment under Fed. R. Bankr. P. 7056, Brief in Support of Motion, and a Notice and Opportunity for Hearing on the Motion (Docket No. 17) to be electronically filed and served upon Defendant Tracie Tonisia Love and her appointed counsel.

(Exhibit 1, Proof of Service (Docket No. 17, p. 42).)

3. A review of the docket in this adversary proceeding shows that the Defendant has not timely filed and served a response or objection to the relief requested.

4. The lack of a timely response justifies the entry of the Order Granting Plaintiff Michigan Department of Human Services' Motion for Judgment on the Pleadings (attached as Exhibit 2) pursuant to LBR 9014-1(c).

Respectfully submitted,

Bill Schuette  
Attorney General

/s/ Travis Comstock (P72025)  
Travis M. Comstock  
Assistant Attorney General  
Health, Education & Family  
Services Division  
P.O. Box 30758  
Lansing, MI 48909  
(517) 373-7700  
Email: comstockt@michigan.gov

Dated: February 28, 2014

# Exhibit 1

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Adv. Pro. No. 13-4883-wsd  
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TRACIE TONISIA LOVE,  
  
Defendant.

**CERTIFICATE OF SERVICE**

I hereby certify that on January 31, 2014, I electronically filed Plaintiff  
Michigan Department of Human Services' Motion for Partial Summary Judgment  
and Brief in Support with the Clerk of the Court using the ECF System, which will  
provide electronic copies to counsel of record.

/s/ Travis Comstock  
Travis Comstock (P72025)  
Assistant Attorney General  
Attorney for Plaintiff Michigan  
Department of Human Services  
Health, Education & Family  
Services Division  
P.O. Box 30758  
Lansing, MI 48909  
(517) 373-700  
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## Exhibit 2

UNITED STATES BANKRUPTCY COURT  
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In Re:

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Hon. Walter Shapero

MICHIGAN DEPARTMENT OF HUMAN  
SERVICES,

Plaintiff,

Adv. Pro. No. 13-4883-wsd  
Hon. Walter Shapero

v

TRACIE TONISIA LOVE,  
  
Defendant.

**[PROPOSED] ORDER GRANTING MICHIGAN DEPARTMENT OF HUMAN  
SERVICES' MOTION FOR PARTIAL SUMMARY JUDGMENT**

This matter has come before the Court on a Motion for Partial Summary Judgment (Fed. R. Civ. P. 56(c); Fed. R. Bankr. P 7056) filed by Plaintiff Michigan Department of Human Services. The Department's motion being properly filed and served, notice of the opportunity to file a response provided, the Defendant Tracie Tonisia Love failing to timely respond or take other permissible action, and the Court otherwise being fully advised in the premises;

**IT IS HEREBY ORDERED** that Plaintiff Michigan Department of Human Services' Motion for Partial Summary Judgment is **GRANTED**;

**IT IS FURTHER ORDERED** that Plaintiff Michigan Department of Human Services is granted a JUDGMENT in the total amount of \$5,896.00.

**IT IS FURTHER ORDERED** that Defendant Tracie Tonisia Love's debt to the Michigan Department of Human Services is excepted under 11 U.S.C. § 523(a)(2)(A), § 523(a)(2)(B), and [or] § 523(a)(5) from Love's discharge entered in Bankr. Case No. 13-49628 (Doc. No. 31);